

THIRD DAY

(Continued)

(Tuesday, January 19, 1993)

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by the President.

GUEST OF SENATE

The President introduced to the Senate former Senator Roy Blake, member of the Board of Regents of Stephen F. Austin University.

The Senate welcomed Senator Blake.

PROCLAMATIONS FROM THE GOVERNOR

The following Proclamations from the Governor were read and were filed with the Secretary of the Senate:

P R O C L A M A T I O N

BY THE

GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

TO THE MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-THIRD LEGISLATURE, REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Ann W. Richards, Governor of the State of Texas, submit the following emergency matter for the immediate consideration by the 73rd Legislature, now convened:

legislation related to the appropriation of state money for the judicial, executive, and legislative branches of state government and for state aid to local governments for the period beginning September 1, 1993, and ending August 31, 1995.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at my office in the City of Austin, on this the 14th day of January, 1993.

/s/Ann W. Richards
Governor of Texas

ATTEST:

/s/John Hannah, Jr.
Secretary of State

P R O C L A M A T I O N

BY THE

GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

TO THE MEMBERS OF THE SENATE AND THE HOUSE OF

REPRESENTATIVES OF THE SEVENTY-THIRD LEGISLATURE,
REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Ann W. Richards, Governor of the State of Texas, submit the following emergency matter for the immediate consideration by the 73rd Legislature, now convened:

legislation related to state and local corrections facilities and the funding and management of the Texas Department of Criminal Justice Administration.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at my office in the City of Austin, on this the 14th day of January, 1993.

/s/Ann W. Richards
Governor of Texas

ATTEST:

/s/John Hannah, Jr.
Secretary of State

P R O C L A M A T I O N
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

TO THE MEMBERS OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE SEVENTY-THIRD LEGISLATURE,
REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Ann W. Richards, Governor of the State of Texas, submit the following emergency matter for the immediate consideration by the 73rd Legislature, now convened:

constitutional amendments and/or legislation related to the establishment of and suitable provision for the support and maintenance of an efficient system of public free schools.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at my office in the City of Austin, on this the 14th day of January, 1993.

/s/Ann W. Richards
Governor of Texas

ATTEST:

/s/John Hannah, Jr.
Secretary of State

**P R O C L A M A T I O N
BY THE
GOVERNOR OF THE STATE OF TEXAS**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

TO THE MEMBERS OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE SEVENTY-THIRD LEGISLATURE,
REGULAR SESSION:

Pursuant to Article III, Section 5, of the Texas Constitution, I, Ann W. Richards, Governor of the State of Texas, submit the following emergency matter for the immediate consideration by the 73rd Legislature, now convened:

legislation related to methods and procedures for the eradication of
boll weevils in cotton.

IN TESTIMONY WHEREOF, I have hereunto signed my name
officially and caused the Seal of the State to be affixed hereto at my office
in the City of Austin, on this the 14th day of January, 1993.

/s/Ann W. Richards
Governor of Texas

ATTEST:

/s/John Hannah, Jr.
Secretary of State

CAPITOL PHYSICIAN

Senator Wentworth, joined by Senator Turner, was recognized and
presented Dr. Stephen Benold of Georgetown as the "Doctor for the Day."

The Senate welcomed Dr. Benold and thanked him for his participation
in the "Capitol Physician" program sponsored by the Texas Academy of
Family Physicians.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Haley and by unanimous consent, Senate Rule
11.11 was suspended in order that the Committee on Administration might
meet today.

MOTION TO RECESS

On motion of Senator Harris of Dallas and by unanimous consent, the
Senate agreed to recess until 11:00 a.m. Thursday, January 21, 1993, upon
completion of the introduction and referral of bills and resolutions on first
reading.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time,
and referred to the committees indicated:

S.C.R. 5 by Leedom, Lucio Criminal Justice
Requesting that the Criminal Justice Policy Council investigate the

desirability of contracting with one or more foreign governments for the placement of prisoners from the institutional division of the Texas Department of Criminal Justice for confinement within the jurisdiction of that government.

S.J.R. 3 by Shelley Intergovernmental Relations
Proposing a constitutional amendment relating to the lending or granting of public money, a thing of value, or credit by a county in case of a disaster.

S.J.R. 4 by Bivins	Education
Proposing a constitutional amendment authorizing the issuance of \$750 million in state general obligation bonds to assist school districts in financing facilities and repealing the authorization for \$750 million in state revenue bonds guaranteed by the permanent school fund.	

S.J.R. 7 by Ratliff	Education
Proposing a constitutional amendment to authorize ad valorem taxation by county education districts.	

S.B. 7 by Ratliff, Lucio Relating to public school finance.	Education
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S.B. 75 by Whitmire Criminal Justice
Relating to the operations of the pardons and paroles division of the Texas
Department of Criminal Justice; providing penalties.

S.B. 105 by Brown Criminal Justice
Relating to the punishment for the offense of assault on employees of
certain primary or secondary schools.

S.B. 106 by Brown Criminal Justice
Relating to the creation of the offense of drive-by shooting, the prosecution of a juvenile for that offense, and the seizure of contraband used in that offense.

S.B. 107 by Brown Criminal Justice
Relating to the punishment and sentencing of a defendant who uses a
firearm during the commission of a felony or during immediate flight after
the commission of the felony.

S.B. 108 by Brown Criminal Justice
Relating to the murder of an individual who is 65 years of age or older
as a capital offense.

S.B. 109 by Brown, West Criminal Justice
Relating to presentence investigation reports in certain criminal cases.

S.B. 110 by Brown, West Criminal Justice
Relating to the peremptory challenge of a juror in a criminal case based
on an unconstitutional purpose.

S.B. 111 by Brown State Affairs
 Relating to the authority of a volunteer fire department to obtain from the Department of Public Safety and local law enforcement agencies the criminal conviction record of a volunteer fire department applicant.

S.B. 126 by Harris of Tarrant Intergovernmental Relations
Relating to the regulation of sight distances along county roads in certain
counties.

S.B. 127 by Leedom State Affairs
Relating to periodic reports concerning state trust funds.

S.B. 128 by Leedom Finance
Relating to the Texas Incentive and Productivity Commission.

S.B. 129 by Leedom State Affairs
Relating to reports required to be adopted by public retirement systems and reports to be submitted to the State Pension Review Board.

S.B. 130 by Montford, Ellis Economic Development
Relating to the establishment of an employment training program, the levy of an assessment for employment training purposes, establishing a holding fund, establishing an employment training fund, reducing the replenishment tax rate, reducing the entry level tax rate, and declaring an emergency.

S.B. 131 by Bivins Education
Relating to facilities equalization for public schools.

SENATE RULE 11.19 SUSPENDED

On motion of Senator Ratliff and by unanimous consent, Senate Rule 11.19 was suspended in order that the Committee on Education might consider the following bills and resolutions tomorrow:

S.B. 7
S.B. 131
S.J.R. 4
S.J.R. 7

(Senator Patterson in Chair)

MEMORIAL RESOLUTIONS

S.R. 42 - By Haley: In memory of the Honorable William Herrell Kugle, Jr., of Athens.

S.R. 43 - By Haley: In memory of the Honorable Jim Browder, former Member of the Texas House of Representatives.

S.R. 44 - By Haley: In memory of Frank Wright Ebaugh of Jacksonville.

S.R. 46 - By Turner: In memory of Ruth Davis Snodgrass of Huntsville.

S.R. 48 - By Turner: In memory of Dr. Jay Sanford Williams of Bryan.

CONGRATULATORY RESOLUTIONS

S.C.R. 6 - By Ratliff: Recognizing January 26, 1993, as Mount Pleasant Day.

S.R. 45 - By Turner: Congratulating Deputy Steve Fisher of the Walker County Sheriff's Department on being chosen the 1992 Officer of the Year.

S.R. 47 - By Turner: Congratulating Billie Pruitt on being chosen as the City of Crockett's 1992 Employee of the Year.

S.R. 49 - By Turner: Congratulating Detective Don Hampton of the Walker County Sheriff's Department on being chosen Officer of the Year.

S.R. 50 - By Turner: Recognizing Doris Terry Welch for her 18 years of service as the Freestone County Clerk and for her 44 years of public service in the courthouse.

S.R. 51 - By Turner: Congratulating Mrs. Sue Burleson of Groesbeck on the occasion of her 80th birthday.

S.R. 52 - By Turner: Congratulating Mr. and Mrs. Emmett McCaslin of Kerens on the occasion of their 50th wedding anniversary.

S.R. 53 - By Turner: Congratulating Mr. and Mrs. George Gaines of Grapeland on the occasion of their 50th wedding anniversary.

S.R. 54 - By Turner: Recognizing former Precinct 3 Commissioner Raymond Rister on his retirement from the Williamson County Commissioners Court.

S.R. 55 - By Turner: Congratulating Mr. and Mrs. Henry Bollinger of Bryan on the occasion of their 56th wedding anniversary.

S.R. 56 - By Turner: Congratulating Mr. and Mrs. Clarence J. Fontenot on the occasion of their 50th wedding anniversary.

S.R. 57 - By Turner: Recognizing Johnny Davis, who was selected 1992 City of Georgetown Employee of the Year.

S.R. 58 - By Turner: Recognizing Val Acevado, who was selected 1992 Employee of the Year with the City of Georgetown Parks and Recreation Department.

S.R. 59 - By Turner: Recognizing Peter Marchese, who was selected 1992 Police Officer of the Year for the City of Georgetown.

S.R. 60 - By Turner: Recognizing Juan Cordova, who was selected 1992 Employee of the Year with the City of Georgetown Finance and Administration Department.

S.R. 61 - By Turner: Recognizing Anthony Lincoln, who was selected 1992 City of Georgetown Employee of the Year.

S.R. 62 - By Turner: Recognizing Kim Stiles, who was selected 1992 City of Georgetown Employee of the Year.

S.R. 63 - By Turner: Honoring Wayne Benders for his 25 years of service with the City of Georgetown.

S.R. 64 - By Turner: Recognizing Carla Benton, who was selected 1992 Employee of the Year with the City of Georgetown Planning Department.

S.R. 65 - By Turner: Recognizing George Luera, who was selected 1992 Employee of the Year with the City of Georgetown Public Utilities Department.

S.R. 66 - By Turner: Recognizing Ernest Vidaure, who was selected 1992 Employee of the Year with the City of Georgetown Public Utilities Department.

S.R. 67 - By Moncrief: Congratulating Bryan M. Bailey of Bedford on achieving the rank of Eagle Scout.

S.R. 68 - By Moncrief: Commending Senior Corporal Kenneth D. Douglas of the Dallas Police Department for his contributions to his community.

S.R. 69 - By Moncrief: Congratulating Senior Corporal Lance Raymond for receiving the Top Cop Award presented by the Oak Cliff Chamber of Commerce.

RECESS

Pursuant to a previously adopted motion, the Senate at 11:10 a.m. recessed until 11:00 a.m. Thursday, January 21, 1993.

THIRD DAY

(Continued)

(Thursday, January 21, 1993)

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by Senator Harris of Dallas.

CO-AUTHORS OF SENATE BILL 25

On motion of Senator Moncrief and by unanimous consent, Senators Harris of Tarrant, Carriker, Ratliff, Turner, Patterson, Shapiro, Shelley, Nelson, Sibley, Sims, Leedom, Lucio, Truan, Madla, Armbrister, Barrientos, Wentworth, Parker, Bivins, West, and Rosson will be shown as Co-authors of S.B. 25.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

S.B. 132 by Luna Criminal Justice
Relating to the deferral of the final disposition of certain criminal complaints.

S.B. 133 by Sibley State Affairs
Relating to a prohibition on activities of former officers and certain employees of the Texas Board of Pardons and Paroles and the Pardons and Paroles Division of the Texas Department of Criminal Justice; providing a penalty.

S.B. 134 by Lucio Jurisprudence
Relating to mandatory arbitration of claims for personal injury or death resulting from medical malpractice.

S.B. 135 by Lucio State Affairs
Relating to commissions for honorably retired inspectors and representatives of the Texas Alcoholic Beverage Commission.